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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,390

09/08/2003

Jeyhan Karaoguz

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12/04/2006

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EXAMINER

WANG, LIANG CHE A

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/657,390	<b>Applicant(s)</b> KARAOGUZ ET AL.	
	<b>Examiner</b> Liang-che Alex Wang	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                    |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                               | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/29/2004</u> . | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. Claims 1-24 are presented for examination.

#### *Priority*

2. A reference to the prior application No. 60/432,472, filed on December 11, 2002, application No. 60/443,894 filed on January 30, 2003, application No. 60/469,329 filed on May 9, 2003 and application No. 60/469,182 filed on May 9, 2003 have been inserted as the first sentence(s) of the specification of this application or in an application data sheet (37 CFR 1.76). The claim for benefit of relying on the filing date of the prior application under 35 U.S.C. 119(e), 120, 121, or 365(c) is acknowledged.

#### *Paper Submitted*

3. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 9/29/2004 is considered.

#### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lu, US Patent Number 7,065,778 B1, hereinafter Lu.
6. Referring to claim 1, Lu teaches a system (system 300, figure 3) supporting exchange of media (Col 2 lines 9-28), said system comprising:
  - a first television display (display 212 of PVR 200A; figure 2 and Col 6 lines 21-28) in a first home (the place where PVR 200A resides corresponds to “a first home”; Col 6 lines 43-61, Col 1 lines 64-67, figure 3);
  - a first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) in the first home that stores the media (Col 6 lines 50-53, Col 10 lines 40-43);
  - the first storage supporting consumption of the media by the first television display in the first home (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having an associated first network address (IP address of PVR 200A corresponds to “an associated first network address”; Col 10 lines 10-15, each PVR is associated with an IP address);
  - a second television display (display 212 of PVR 200; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3);
  - a second storage (data storage device 218 of PVR 200 corresponds to “a second storage”) supporting consumption of the media by the second television display in the second home (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having an associated second network

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address (IP address of PVR 200 corresponds to “an associated second network address”;

Col 10 lines 10-15, each PVR is associated with an IP address);

a communication network (Internet 302 corresponds to “a communication network”; figure 3); and

server software (EGP server 304) that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first and second network addresses (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester) and responds by identifying the other of the associated first and second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support delivery via the communication network of the media from the first storage to the second home for consumption by the second television display (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

7. Referring to claim 2, Lu teaches the system of claim 1 wherein the first and second network addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, and an electronic serial number (ESN) (Col 10 lines 10-15, each PVR is associated with an IP address).
8. Referring to claim 3, Lu teaches the system of claim 1 wherein the communication network comprises at least one of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and a wireless infrastructure (Col 7 lines 1-8, PVR

200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

9. Referring to claim 4, Lu teaches the system of claim 1 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).
10. Referring to claim 5, Lu teaches the system of claim 1 wherein the media comprises at least one of audio, a still image, video, and data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
11. Referring to claim 6, Lu teaches the system of claim 1 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).
12. Referring to claim 7, Lu teaches the system of claim 1 wherein consumption comprises at least one of playing audio, displaying a still image, displaying video, and displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
13. Referring to claim 8, Lu teaches a system supporting exchange of media, said system comprising:
  - a first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) in a first home (the place where PVR 200A resides corresponds to “a first home”; Col 6 lines 43-61; Col 1 lines 64-67; figure 3) that stores the media (Col 6 lines 50-53, Col 10 lines 40-43), and having an associated first protocol address (IP address of PVR 200A corresponds to “an associated first protocol address”; Col 10 lines 10-15, each PVR is associated with an IP address);

a second television display (display 212 of PVR 200 corresponds to “a second television display”; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3), and having an associated second protocol address (IP address of PVR 200 corresponds to “an associated second protocol address”; Col 10 lines 10-15, each PVR is associated with an IP address);

set top box circuitry (PVR 200A corresponds to “set top box circuitry”; Col 5 lines 26-35), in the first home, communicatively coupled to deliver the media from the first storage to the second television display for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200);

a communication network (Internet 302 corresponds to “a communication network”; figure 3); and

server software (EGP server 304) that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first and second protocol addresses (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester) and responds by identifying the other of the associated first and second protocol addresses (Col 6 lines 45-50, IP address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support delivery via the communication network of the media from the first storage to the second home for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV

show to the EGP server 304, which then transmit the TV show to the requested PVR 200).

14. Referring to claim 9, Lu teaches the system of claim 8 wherein the media comprises at least one of audio, a still image, video, and data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
15. Referring to claim 10, Lu teaches the system of claim 9 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).
16. Referring to claim 11, Lu teaches the system of claim 8 wherein the first and second protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, and an electronic serial number (ESN) (Col 10 lines 10-15, each PVR is associated with an IP address).
17. Referring to claim 12, Lu teaches the system of claim 8 wherein consumption comprises at least one of playing audio, displaying a still image, displaying video, and displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
18. Referring to claim 13, Lu teaches the system of claim 8 wherein the communication network comprises at least one of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and a wireless infrastructure (Col 7 lines 1-8, PVR



200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

19. Referring to claim 14, Lu teaches the system of claim 8 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).
20. Referring to claim 15, Lu teaches the system of claim 8 wherein the server software supports anonymous media exchange (Col 6 lines 33-61, PVR 200 sends request to server, and server locates PVR 200A to provide requested content, PVR 200A sends the requested content to the server then the server transmits the requested content to PVR 200, the exchange is done through a server without having PVR 200 and PVR 200A to know each other in this embodiment, therefore the server software supports anonymous media exchange).
21. Referring to claim 16, Lu teaches the system of claim 8 wherein the server software forwards media from the first storage to the second television display (Col 6 lines 54-58, PVR 200A transmits the requested TV show to the server, server then transmits the requested TV show to PVR 200).
22. Referring to claim 17, Lu teaches the system of claim 8 wherein the server software is at a location separate from the first home and the second home (figure 3, Col 7 lines 20-24, EGP server 304 resides on a single physical computing device).
23. Referring to claim 18, Lu teaches a system supporting exchange of media, said system comprising:
  - a first storage (data storage device 218 of PVR 200A corresponds to “a first storage”) in a first home (the place where PVR 200A resides corresponds to “a first

home”; Col 6 lines 43-61, Col 1 lines 64-67, figure 3) that stores the media (Col 6 lines 50-53, Col 10 lines 40-43);

a second television display (display 212 of PVR 200 corresponds to “a second television display”; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to “a second home”; figure 3);

set top box circuitry (PVR 200A corresponds to “set top box circuitry”; Col 5 lines 26-35), in the first home, communicatively coupled to deliver the media from the first storage to the second television display for consumption (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmit the TV show to the requested PVR 200);

a communication network (Internet 302 corresponds to “a communication network”; figure 3); and

server software (EGP server 304) that coordinates delivery of the media from the first storage to the set top box circuitry (Col 6 lines 50-54, EGP server programs PVR 200A to record the requested TV show, Col 10 lines 40-43, first storage 218 is used to store recorded TV show for PVR 200A to transmit the requested TV show to PVR 200).

24. Referring to claim 19, Lu teaches the system of claim 18 wherein the media comprises at least one of audio, a still image, video, and data (Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
25. Referring to claim 20, Lu teaches the system of claim 19 wherein the media comprises real-time video (Col 7 lines 25-28; Col 6 lines 50-53, media being recorded are the

requested TV show, which is recorded when it is broadcast (real-time video) by a TV provider).

26. Referring to claim 21, Lu teaches the system of claim 18 wherein consumption comprises at least one of playing audio, displaying a still image, displaying video, and displaying data (Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
27. Referring to claim 22, Lu teaches the system of claim 18 wherein the communication network comprises at least one of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and a wireless infrastructure (Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
28. Referring to claim 23, Lu teaches the system of claim 18 wherein the communication network is the Internet (Col 7 lines 1-8, Internet 302).
29. Referring to claim 24, Lu teaches the system of claim 18 wherein the server software supports anonymous media exchange (Col 6 lines 33-61, PVR 200 sends request to server, and server locates PVR 200A to provide requested content, PVR 200A sends the requested content to the server then the server transmits the requested content to PVR 200, the exchange is done through a server without having PVR 200 and PVR 200A to know each other in this embodiment, therefore the server software supports anonymous media exchange).

*Conclusion*

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
31. US Patent Number 6,349,324, Tokoro, teaches a system that exchanges images and audio on two ends of a communication network (figure 1).
32. US Patent Number 5,721,815, 5,721,878, and 5,930,493, Ottesen et al., teaches a multimedia server system for communicating multimedia information.
33. US Patent Number 7,080,400, Navar, teaches method for distributed storage and presentation of multimedia in a cable network environment.
34. US Patent Number 6,693,896, Utsumi et al., teaches information receiving device and method, information release device, and information communication system.
35. US Patent Number 6,480,889, Saito et al., teaches scheme for managing nodes connected to a home network according to their physical locations.
36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang  
November 14 2006

*L. ch Wang* 11/14/2006